

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MARK ROBERT QUIROZ,

Plaintiff,

v.

ROBERT A. HOREL, et al.,

Defendants.

) No. C 11-0016 LHK (PR)

) ORDER DENYING MOTION FOR A
) COURT ORDER FOR FEE WAIVER

Plaintiff, a California state prisoner proceeding *pro se*, has filed a civil rights action, pursuant to 42 U.S.C. § 1983. Defendant Short has filed a motion for summary judgment. Plaintiff has not yet filed a reply. Plaintiff has, however, filed a motion requesting that the court order plaintiff's fee waived so that he may obtain a copy of his own deposition transcript so that he may support the relevant parts of his opposition to defendants' motion for summary judgment. (Docket No. 238.) The plain language of 28 U.S.C. § 1915, the *in forma pauperis* statute, does not authorize the district court to cause the payment of the cost of a deposition transcript for a pauper-plaintiff. Also, the court is unaware of any authority to require a private court reporter to subsidize the cost of a deponent's litigation efforts. Plaintiff's motion therefore is DENIED. However, Short has produced exhibits in support of his motion for summary judgment. In Short's exhibits, Short provides four distinct and non-consecutive substantive pages from plaintiff's deposition transcript. Because defendant Short is relying on those portions of the

1 plaintiff's deposition as evidence for his motion, and because it is more efficient for defendants
2 to produce a copy of plaintiff's deposition, the court directs defendant Short to file (and serve on
3 plaintiff) a copy of the entire transcript of that deposition within fourteen days of the filing date
4 of this order.

5 IT IS SO ORDERED.

6 DATED: 5/9/14



LUCY H. KOH
United States District Judge